

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

SHANNON N. ROBERTS,

Plaintiff,

-vs-

Case No. 6:21-cv-459-GKS-GJK

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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REPORT AND RECOMMENDATION

This cause came on for consideration, without oral argument, on the following motion:

**MOTION: UNOPPOSED MOTION TO REMAND UNDER  
SENTENCE FOUR (Doc. No. 23)**

**FILED: September 8, 2021**

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**THEREON it is RECOMMENDED that the motion be  
GRANTED.**

On September 8, 2021, the Commissioner of Social Security (the “Commissioner”) filed an Unopposed Motion to Remand Under Sentence Four (hereafter the “Motion”) requesting that the decision of the Commissioner be reversed and remanded, pursuant to sentence four of 42 U.S.C. § 405(g), for the Administrative

Law Judge to render a new decision, “reassess Plaintiff’s residual functional capacity along with the medical opinion evidence; if necessary, to obtain vocational expert evidence; to offer Plaintiff the opportunity for a hearing; to take any further action needed to complete the administrative record.” Doc. No. 23. The Motion is unopposed. *Id.*

Based on the foregoing, it is **RECOMMENDED** that the Court:

1. **GRANT** the Motion (Doc. No. 23);
2. **REVERSE** and **REMAND** the case to the Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g); and
3. Direct the Clerk to enter a separate judgment in favor of Plaintiff and to close the case.

### **NOTICE TO PARTIES**

A party has fourteen days from the date this Report and Recommendation is served to serve and file written objections to the Report and Recommendation’s factual findings and legal conclusions. Failure to serve and file written objections waives that party’s right to challenge on appeal any unobjected-to factual finding or legal conclusion the district judge adopts from the Report and Recommendation. 11th Cir. R. 3-1.

**RECOMMENDED** in Orlando, Florida on October 12, 2021.

  
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GREGORY J. KELLY  
UNITED STATES MAGISTRATE JUDGE

Copies to:  
Presiding District Judge  
Counsel of record  
Unrepresented parties